

REMARKS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claims 1-3, 6 and 9-17 are pending. Claims 4, 5, 7, 8 and 18 are withdrawn from consideration.

Claims 1-3, 6/2, 6/3, 9/1, 9/2, 10/9/1, 10/9/2, 11/1, 11/2, 12/1, 12/2, 13, 14, 15, 16/1, 16/2, and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Novis (U.S. Patent No. 5,867,795). Applicant respectfully traverses this rejection.

Claim 1 recites that the viewing optical system includes a prism member which has a reflecting surface and that the reflecting surface of the prism member has a curved surface imparting a power to an incident light beam and further that the curved surface is rotationally asymmetric. Novis fails to teach or suggest such an optical system.

Figure 11, to which the Office Action refers, merely shows a prism having a reflecting surface 75 that is flat, not curved as recited in claim 1. (See, *e.g.*, column 8, lines 30-67 discussing the operation of surface 75). Moreover, this flat reflecting surface 75 does not impart a power to an incident light beam as further recited in claim 1. Novis fails to teach or suggest anything about an optical system including a prism member having a reflecting surface that is curved to impart a power to an incident light beam. Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Claim 2 recites that the viewing optical system comprises a prism portion and a reflecting portion. Claim 2 further recites that the "prism portion [is] received in a body of [the] portable image display" while the "reflecting portion is held by a frame member which is independent of [the] body." Novis fails to teach or suggest a reflecting portion other than the surface 75 which is not held by any frame member which is independent of the body. The Office Action states that Novis has a body 10 and an independent frame member 12. Applicant respectfully disagrees with this characterization of Novis. As can be seen clearly in Figs. 1, 2 and 3, the base component 12 is actually the main structural component of the device 10, it is not independent of the device in any sense. Moreover, to the extent that surface 75 can be considered the recited reflecting surface, the base component 12 does not hold surface 75. Because Novis does not teach or suggest the recited reflecting portion, Applicant respectfully requests that the rejection of claim 2 under 35 U.S.C. § 102(b) be withdrawn.


Claim 3 recites an image pickup device and image pickup optical system. Novis does not appear to teach or suggest anything about either an image pickup device or an image pickup optical system. The Official Action fails to point out where in any of the references these elements might be found. Because the Official Action fails to set forth a *prima facie* case, and because the cited reference is silent in this regard, Applicant respectfully requests that the rejection of claim 3 under 35 U.S.C. § 102(b) be withdrawn.

Claims 6/2, 6/3, 9/1, 9/2, 10/9/1, 10/9/2, 11/1, 11/2, 12/1, 12/2, 13, 14, 15, 16/1, 16/2, and 17 each depend directly or indirectly from respective ones of claims 1-3. Applicant respectfully submits that each is therefore patentable for at least the same reasons as the claim from which it depends and therefore respectfully requests that the rejection of claims 6/2, 6/3, 9/1, 9/2, 10/9/1, 10/9/2, 11/1, 11/2, 12/1, 12/2, 13, 14, 15, 16/1, 16/2, and 17 under 35 U.S.C. § 102(b) be withdrawn.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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